

INITIAL CONFERENCE QUESTIONNAIRE

1. Date for completion of automatic disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure, if not yet made: **14 days following the decision on Defendant's Motion to Dismiss; no discovery prior to the service of automatic disclosures and prior to the decision on Defendant's Motion to Dismiss**
2. If additional interrogatories beyond the 25 permitted under the federal rules are needed, the maximum number of: plaintiff(s) ____ and defendant(s) ____
3. Number of depositions by plaintiff(s): **Plaintiffs will request between 3 & 10 depositions of Defendant's witnesses**
4. Number of depositions by defendant(s): **(2- Plaintiffs Shiv Patel and Jamie Posner, and given that this is a proposed class action, additional members of the class and non-parties as needed as permitted under the FRCP)**
5. Date for completion of factual discovery: **120 days following the decision on Defendant's Motion to Dismiss**
6. Number of expert witnesses of plaintiff(s): ____ medical; **1-2** non-medical
Date for expert report(s): **30 days following the Completion of Fact Discovery**
7. Number of expert witnesses of defendant(s): ____ medical; **2 non-medical**
Date for expert report(s): **60 days following the disclosure of Plaintiff's Expert Report**
8. Date for completion of expert discovery: **45 days following disclosure of Defendant's expert reports**
9. Time for amendment of the pleadings by plaintiff(s) **Plaintiffs to seek leave to file an amended pleading within 60 days of the decision on Defendant's Motion to Dismiss; Defendant will object to any attempt to amend the complaint a second time.**
10. Number of proposed additional parties to be joined by plaintiff(s) _____ and by defendant(s) _____ and time for completion of joinder: _____. **Plaintiffs to move for class certification by the end of discovery.**
11. Types of contemplated dispositive motions: plaintiff(s): _____ defendant(s): **Motion to Dismiss; Motion For Summary judgment (if necessary)**
12. Dates for filing contemplated dispositive motions: plaintiff(s): _____ defendant(s): **Date to be determined by the Court following Plaintiffs' opposition to Defendant's pre-motion letter**
13. Have counsel reached any agreements regarding electronic discovery? If so, please describe at the initial conference. **Yes.**
14. Have counsel reached any agreements regarding disclosure of experts' work papers (including drafts) and communications with experts? If so, please describe at the initial conference. **Yes.**
15. Will the parties *consent to trial before a magistrate judge pursuant to 28 U.S.C. §636(c)? (Answer no

if any party declines to consent without indicating which party has declined.) Yes ____ No **X**

*** The fillable consent form may be found at <http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf> may be filed electronically upon completion prior to the initial conference, or, brought to the initial conference and presented to the Court for processing.**